

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PETROLEUM SALES, INC.,

No. C-05-03526 SBA (JCS)

Plaintiff(s),

v.

**NOTICE OF REFERENCE; TIME  
AND PLACE OF HEARING**

VALERO REFINING COMPANY-  
CALIFORNIA, ET AL.,

(E-FILING CASES)

Defendant(s).

TO ALL PARTIES AND COUNSEL OF RECORD:

The above matter has been referred to Magistrate Judge Joseph C. Spero for a report and recommendation pursuant to Civil Local Rule 72-1 regarding Defendants' Motion for an Award of Attorneys' Fees (the "Motion") [Docket No. 101].

The hearing has been set for **April 27, 2007, at 9:30 a.m.**, in Courtroom A, 15th Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California. The opposition(s), if not already filed, shall be filed and served no later than twenty-one (21) days prior to the hearing. Any reply to the opposition(s) shall be filed and served no later than fourteen (14) days prior to the hearing. All documents shall be filed in compliance with Civil L. R. 7-2 through 7-5. Documents not filed in compliance with those rules will not be considered by the Court. Any party seeking an award of attorney's fees or other expenses in connection with this motion shall file a motion in accordance with Civil L. R. 37-3.

**LAW AND MOTION HEARING PROCEDURES**

Civil law and motion is heard on Friday mornings, at 9:30 a.m., in Courtroom A, 15th Floor, United States District Court, 450 Golden Gate Avenue, San Francisco, California 94102.

1 Motions to compel may be noticed without reserving a hearing date, subject to the Court's  
2 availability.

3 Discovery motions may be addressed to the Court in three ways. A motion may be noticed  
4 on not less than 35 days notice pursuant to Civil L. R. 7-2. Alternatively, any party may seek an  
5 order shortening time under Civil L. R. 6-3 if the circumstances justify that relief. In emergencies  
6 during discovery events, the Court is available pursuant to Civil L. R. 37-1(b).

7 In the event a discovery dispute arises, lead trial counsel for the party seeking discovery shall  
8 in good faith confer **in person** with lead trial counsel for the party failing to make the discovery in  
9 an effort to resolve the dispute without court action, as required by Fed. R. Civ. P. 37 and Civil L. R.  
10 37-1(a). The meeting must be **in person**, except where good cause is shown why a telephone  
11 meeting is adequate. A joint letter setting forth these meet and confer efforts, each unresolved issue,  
12 and the final positions of each party shall be included in the moving papers. The Court will not  
13 consider discovery motions unless the moving party has complied with Fed. R. Civ. P. 37 and Civil  
14 L. R. 37-1(a).

15 A party or counsel has a continuing duty to supplement the initial disclosure when required  
16 under Fed. R. Civ. P. 26(e)(1).

17 Law and motion matters may be submitted without argument upon stipulation of the parties  
18 and notification of the Court no later than 4:30 p.m. the day before the hearing. Pursuant to Civil  
19 L. R. 7-7(e), filed motions may be withdrawn without leave of the Court within seven (7) days of the  
20 date for service of the opposition. Thereafter, leave of the Court must be sought.

### 21 **ELECTRONIC FILING AND COURTESY COPIES**

22 Please refer to Civil L. R. 5-4 and General Order No. 45 for the Northern District of  
23 California for information relating to electronic filing procedures and requirements.

24 BEFORE NOON ON THE NEXT BUSINESS DAY FOLLOWING THE ELECTRONIC  
25 FILING, THE PARTIES ARE REQUIRED TO LODGE DIRECTLY WITH CHAMBERS ONE  
26 **PAPER** COPY OF EACH DOCUMENT, WHICH IS TO BE DESIGNATED "JCS'S CHAMBERS'  
27 COPY." All filings of documents relating to motions referred to the undersigned shall list the civil  
28 case number and the district court judge's initials, followed by the designation "(JCS)".

1 The failure of counsel or a party to abide by this Order may result in sanctions pursuant to  
2 Fed. R. Civ. P. 16(f).

3 IT IS SO ORDERED.

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5 Dated: March 9, 2007

  
6 JOSEPH C. SPERO  
7 United States Magistrate Judge  
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